



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 10246 OF 2025
IN FAST/25615/2025 (DELAY)**

The Executive Engineer Irrigation Project Strengthening
Division Omerga

VERSUS

Shankar Vishwanath Barbade And Others

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Mr. A. R. Lukhe h/f Mr. A. S. Shelke, Advocate for Applicant
Mr. S. V. Hange, AGP for Respondents-State

...

WITH

**CIVIL APPLICATION NO. 10247 OF 2025
IN FAST/25615/2025 (STAY)**

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CORAM : AJIT B. KADETHANKAR.

DATED : 20TH SEPTEMBER, 2025

ORDER :-

CIVIL APPLICATION NO. 10246 OF 2025 IN FAST/25615/2025 (DELAY)

1. Being aggrieved by the judgment and award dated 04.07.2017, passed by the learned civil judge, senior division in L.A.R. No.332 of 2014, the applicant/appellant has preferred present first appeal.

2. This Civil Application is for condonation of delay of 2880 days caused in filing First Appeal.

3. The applicant seeks condonation of the delay on the explanation expressed in the Civil Application.

4. Issue notice to the respondents. Learned AGP waives service of notice for respondents-State.

5. The matter be listed after service of notice is complete. In the meantime, applicant/appellant shall take recourse to the provisions enumerated in Chapter II of the Bombay High Court Appellate Side Rules, corresponding to the stage and requirement of matter.

CIVIL APPLICATION NO. 10247 OF 2025 IN FAST/25615/2025 (STAY)

. Being aggrieved by the judgment and award dated 04.07.2017, passed by the learned civil judge, senior division in L.A.R. No.332 of 2014, the applicant/appellant has preferred present first appeal.

2. The applicant submits that there are strong hopes of success in the First Appeal. That, during the pendency of the First Appeal, if execution and operation of the impugned judgment and award is not stayed, the very purpose of First Appeal shall frustrate.

3. Learned Advocate for the appellant has placed on record order dated 19.04.2022, passed in Civil Application No.1012 of 2022 in First Appeal St. No.21044 of 2021 with

connected matters. Order is taken on record and marked as 'X' for identification.

4. Considering this, execution and operation of the impugned judgment and award is stayed on condition that the appellant deposits the 75 percent payable decretal/award amount in this Court within a period of 12 weeks from today.

5. Issue notice to the respondents. Learned AGP waives service of notice for respondents-State.

6. The matter be listed after service of notice is complete. In the meantime, applicant/appellant shall take recourse to the provisions enumerated in Chapter II of the Bombay High Court Appellate Side Rules, corresponding to the stage and requirement of matter.

(AJIT B. KADETHANKAR, J.)